

LAKE TAHOE BASIN NATIONAL FOREST

SEPTEMBER 4, 1996.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 2122]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 2122) to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. DESIGNATION.

There is hereby designated in the States of California and Nevada the Lake Tahoe Basin National Forest to be administered by the Secretary of Agriculture as a unit of the National Forest System subject to the laws, rules, and regulations applicable to the National Forest System.

SEC. 2. BOUNDARIES.

(a) The Lake Tahoe Basin National Forest shall comprise those lands designated as the Lake Tahoe Basin Management Unit in the Federal Register notice dated January 13, 1978 (43 F.R. 1971) and any lands subsequently added to the Unit.

(b) For the purposes of section 7 of the Land and Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the exterior boundary of the Lake Tahoe Basin National Forest established by this Act shall be treated as if it were the boundary as of January 1, 1965.

(c) The boundaries of the Tahoe, Eldorado, and Toiyabe National Forests are hereby modified to exclude those lands within the boundaries of the Lake Tahoe Basin National Forest.

(d) The Secretary of Agriculture is authorized to make corrections or adjustments in the boundaries of the Tahoe, Eldorado, Toiyabe, and Lake Tahoe Basin National Forests for administrative purposes.

SEC. 3. LAND MANAGEMENT PLANNING.

(a) The Land and Resource Management Plan for the Lake Tahoe Basin Management Unit dated December 2, 1988, shall constitute the land management plan required by section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1604).

(b) Nothing in this Act shall require the Forest Service to amend or revise—

(1) the land and resource management plan dated December 2, 1988, or its associated environmental impact statement, or to prepare a new plan or associated environmental impact statement; or

(2) any draft or final land and resource management plan or associated environmental impact statement for the Tahoe, Eldorado or Toiyabe National Forests.

SEC. 4. ADMINISTRATIVE PROVISIONS.

(a) Any reference to the Lake Tahoe Basin Management Unit in any existing statute, regulation, manual, handbook, or otherwise shall be deemed a reference to the Lake Tahoe Basin National Forest.

(b) Nothing in this Act shall affect—

(1) any provisions of Public Law 96–551 (94 Stat. 3233), giving Congressional consent to the Tahoe Planning Compact;

(2) any provisions of Public Law 96–586 (94 Stat. 3381), an Act to provide disposal of certain Federal lands in the Lake Tahoe Basin, commonly called the Burton-Santini Act; or

(3) valid existing rights of persons holding any authorization, permit, option or other form of contract existing on the date of enactment of this Act.

(c) Notwithstanding the distribution requirements of payments under the Act of May 23, 1908 (Ch. 192, 35 Stat. 251, as amended), distribution of receipts from the Eldorado, Tahoe, Toiyabe, and Lake Tahoe Basin National Forests shall be based upon the National Forest boundaries that existed prior to enactment of this Act, as though the Lake Tahoe Basin National Forest does not exist.

PURPOSE OF THE BILL

The purpose of H.R. 2122 is to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture.

BACKGROUND AND NEED FOR LEGISLATION

The Lake Tahoe Basin Management Unit (LTBMU) of the National Forest System is made up of portions of three national forests, including the Tahoe and Eldorado National Forests in California (Region 5) and the Toiyabe National Forest in Nevada (Region 4). Since 1973 the Forest Service has administered these lands (approximately 152,000 acres) as a single management unit. Management of the unit is guided by a single LTBMU land management plan, which was adopted by the agency in 1988.

H.R. 2122 would change the designation of the management unit to the Lake Tahoe Basin National Forest. The bill would not change the way the lands are managed by the agency. The Forest Service supported similar legislation in the 102d Congress.

COMMITTEE ACTION

H.R. 2122 was introduced on July 26, 1995, by Congresswoman Barbara F. Vucanovich (R–NV) and Congressman John T. Doolittle (R–CA). The bill was referred to the Committee on Resources, and additionally to the Committee on Agriculture. Within the Committee on Resources, the bill was referred to the Subcommittee on National Parks, Forests and Lands. On June 6, 1996, the Subcommittee held a hearing on H.R. 2122, where there was no opposition to the bill. On June 27, 1996, the Subcommittee met to mark up H.R.

2122. An amendment was offered by Congressman James V. Hansen (R-UT) to ensure that the designation encompasses all lands included in the management area since it was established in 1973. The amendment, requested by the Administration, was adopted by voice vote. The bill was then ordered favorably reported to the Full Committee. On July 17, 1996, the Full Resources Committee met to consider H.R. 2122. No further amendments were offered and the bill as amended was ordered favorably reported to the House of Representatives by voice vote in the presence of a quorum.

SECTION-BY-SECTION ANALYSIS

Section 1. Designation

This section designates the Lake Tahoe Basin National Forest as a unit of the National Forest System, subject to the laws, rules, and regulations Applicable to the National Forest System.

Section 2. Boundaries

The boundaries of the Lake Tahoe Basin National Forest shall comprise those lands currently designated as the Lake Tahoe Basin Management Unit (LTBMU). The boundaries of the Tahoe, Eldorado and Toiyabe National Forests are modified to exclude the lands within the boundaries of the Lake Tahoe Basin National Forest.

Section 3. Land management planning

The land management plan for the Lake Tahoe Basin Management Unit shall constitute the plan for the newly designated Lake Tahoe Basin National Forest. Section 3 also specifies that this Act does not require the Forest Service to amend or revise the LTBMU plan or any draft or final land management plans for the Tahoe, Eldorado and Toiyabe National Forests.

Section 4. Administrative provisions

This section specifies that any reference to the LTBMU in any existing statute, regulation, manual, handbook, or otherwise shall be deemed a reference to the Lake Tahoe Basin National Forest. It also specifies that the Act shall not affect any provisions of Public Law 96-551 giving Congressional consent to the Tahoe Planning Compact; Public Law 96-586 providing for disposal of certain Federal lands in the Lake Tahoe Basin; or valid existing rights of persons holding any authorization, permit, option or other form of contract existing on the date of enactment of the Act. Finally, it specifies that distribution of receipts from the Eldorado, Tahoe, Toiyabe and the Lake Tahoe Basin National Forests shall be based upon the National Forest boundaries that existed prior to enactment of the Act.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to the requirements of clause 2(1)(3) of rule XI of the Rules of the House of Representatives, and clause 2(b)(1) of rule X of the Rules of the House of Representatives the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 2122 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 2122. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 2122 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 2122.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 2122 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 26, 1996.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2122, a bill to designate the Lake Tahoe Basin National Forest in the states of California and Nevada to be administered by the Secretary of Agriculture, and for other purposes. The bill was ordered reported by the House Committee on Resources on July 17, 1996. CBO estimates that enacting H.R. 2122 would have no significant impact on the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 2122 would designate the Lake Tahoe Basin Management Unit as the Lake Tahoe Basin National Forest. The management unit includes portions of the Eldorado, Tahoe, and Toiyabe Na-

tional Forests. The bill would adjust the boundaries of those national forests to exclude the lands within the boundaries of the new Lake Tahoe Basin National Forest. The bill specifies that the distribution of receipts from Eldorado, Tahoe, Toiyabe, and Lake Tahoe Basin National Forests would be based on the national forest boundaries existing prior to enactment of the bill. Therefore, distribution of receipts to state and local governments would remain unchanged relative to current law.

H.R. 2122 contains no private-sector or intergovernmental mandates as defined in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and would have no impact on the budgets of state, local, or tribal governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria V. Heid.

Sincerely,

JUNE E. O'NEILL, *Director*.

COMPLIANCE WITH PUBLIC LAW 104-4

H.R. 2122 contains no unfunded mandates.

CHANGES IN EXISTING LAW

If enacted, H.R. 2122 would make no changes in existing law.

A P P E N D I X

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, August 15, 1996.

Hon. DON YOUNG,
Chairman, Committee on Resources, Longworth House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for forwarding a draft copy of the Committee report for H.R. 2122, a bill to designate the Lake Tahoe Basin National Forest in the States of California and Nevada to be administered by the Secretary of Agriculture, as ordered reported by your Committee.

The Committee on Agriculture received an additional referral of H.R. 2122 and the subject matter of the bill is within this Committee's jurisdiction. However, in the interest of expediting consideration of H.R. 2122 and the interest both of our Committees have in ensuring that this bill, as you have reported it, is acted on promptly after this August Recess, this Committee is willing to waive further consideration of this bill so as to advance its early consideration in the House.

This action is not intended to waive this Committee's jurisdiction over this matter for all purposes, and should this legislation go to conference, this Committee reserves the right to request to be included as conferees on any provision within the Committee on Agriculture's jurisdiction in the event of a House-Senate conference on this bill or its Senate equivalent.

Once again, I appreciate your cooperation in this matter and look forward to working with you on matters of shared jurisdiction between our respective committees.

Sincerely,

PAT ROBERTS, *Chairman.*

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